

REMARKS

The Office Action mailed May 23, 2006 has been received and reviewed. Claims 1-25 are pending in the case. Claim 16 is withdrawn from consideration. The drawings are objected as failing to show every feature of the invention specified in the claims. Claims 1-15 and 17-25 stand rejected under 35 U.S.C. §112 ¶1 for failing to comply with the enablement requirement. Applicant respectfully asserts that the restriction requirement is improper and at least the limitations of claims 12-25 are adequately enabled by Figures 1-4 and the corresponding portion of the detailed description.

OBJECTIONS TO THE DRAWINGS

The drawings (Figures 1-4) are objected to as failing to show “a down tube strap ... grasp the top tube.” By this amendment, this limitation has been removed from claim 1 rendering the objection to the drawings moot.

REJECTIONS UNDER 35 U.S.C. §112

With respect to claim 1, the limitation “a down tube strap ... grasp the top tube” has been removed from the claim rendering the rejection moot.

Claim 6 recites a bag comprising:

“a side panel, the side panel having a third axis, substantially parallel to the first axis, the third axis being bisected by a plane into a third axis right segment and a third axis left segment at a third axis intersection point, the plane containing the first axis and perpendicular to the second axis;

a second right bar strap, the second right bar strap being attached to the side panel on the third axis right segment, the right bar strap being configured for attachment to the bar cylinder; and

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a second left bar strap, the second left bar strap being attached to the side panel on the third axis left segment and spaced apart from the third axis intersection point, the left bar strap being configured for attachment to the bar cylinder.”

Figures 1-4 show a bag having a number of panels any one of which can define a third axis, a third axis left segment, and a third axis right segment as recited in the claims.

Figure 1 shows a bag with two pairs of straps (straps 21 and straps 23). One strap of each pair of straps is obscured by the bag 10. The pairs of straps 21, 23 can be deemed the first right and left bar straps and the second right and left bar straps recited in claim 6. The specification states that “The bag 10 is fastened to the handlebars by either of two straps, the upper handlebar straps 21 or the lower handlebar straps 23. The pair of upper handlebar straps 21 are used to fasten the bag 10 to handlebars (best seen in FIGURE 4) with a rise and are affixed to the elongated side of the rectangular prism the bag 10 defines. The bag 10 is attached so as to place the bag 10 behind the handlebars to rest on the stem. Such placement of the bag 10 allows clear visibility of a wheel and a front fork.” p. 7, ln. 1.

With respect to claim 12, Applicant asserts that Figures 2 and 4 illustrate a carrier bag having the side panel, the right bar strap, and left bar strap as claimed. With respect to Figure 4, the specification states that “a pair of upper handlebar straps 21 are used to fasten the bag 10 to handlebars (best seen in Figure 4)...” p. 7, lns. 2-3. The upper handlebar straps 21 are “affixed to the elongated side of the rectangular prism the bag 10 defines.” p. 7, lns. 4-5. The “elongated side” can be deemed the side panel and the “upper handlebar straps 21” can be deemed the right bar strap and left bar strap. The specification states that the straps 21 are a “pair of upper handlebar straps 21,” though one of the straps 21 is obscured by the bag 10 in some views. p. 7, lns. 9-10. Figure 1 clearly shows one of the straps 21. The other is shown in Figure 4, which shows a different view from Figure 1.

Claim 17 recites a step of “placing the load adjacent and [a] junction, the junction including an intersection point, the intersection point being where the stem encircles and bisects

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the handlebar to define a right segment and a left segment, the right segment, the left segment, and the stem defining a substantially planar surface.”

The portion of the detailed description relating to Figure 2 states that “[t]he bag 10 is attached so as to place the bag 10 behind the handlebars to rest on the stem. Such placement of the bag 10 allows clear visibility of a wheel and a front fork.” p. 7, lns. 5-6. Figure 3, which is referred to as a top view of the bag 10 (p. 7, ln. 23) clearly shows the bag 10 “adjacent and above the junction” of the handlebars and stem of the bicycle. Figure 4 shows a lower perspective view of the bag 10 secured to the handlebars and stem. Figure 4 shows one of the straps 21 encircling the handlebars the other handlebar strap 21 is obscured by the stem, but is clearly called out in the specification.

Claim 17 also recites the steps of “attachably affixing the load to the right segment at a right bar strap point, the right bar strap point spaced apart from the intersection point” and attachably affixing the load to the left segment at a left bar strap point, the left bar strap point spaced apart from the intersection point.” As noted previously Figure 4 shows one of the straps 21 encircling the handlebars the other handlebar strap 21 is obscured by the stem, but is clearly called out in the specification as part of the “pair of upper handlebar straps 21.” Figure 1 shows the other of the straps 21. The bag is positioned in Figures 2, 3, and 4 such that one is on the right handlebar and the other is on the left handlebar.

Claims 17 also recites the step of attachably affixing the load to the stem at a stem strap point, the stem strap point spaced apart from the intersection point. Figure 4 shows the underside of a bicycle stem and handlebars having the stem strap 25 secured to the stem 33. The specification states with respect to Figure 4 that “at the vertex opposite the elongated face of the bag 10, a stem strap 25 encircles a stem 33.” p. 8, lns. 10-11.

With respect to added claim 26, Applicant asserts that claim 26 is dependent from allowable generic claim 1 and is therefore not subject to restriction. MPEP 806.04 (“A reasonable number of species may be claimed when there is an allowable claim generic

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thereto.”). A generic claim is one requiring “no material element additional to those required by the species claims, and each of the species claims must require all the limitations of the generic claim.” MPEP 806.04(d). Inasmuch as claim 26 is dependent from claim 1, claim 26 includes all the limitations of claim 1.

CONCLUSION

For the foregoing reasons, applicant respectfully requests reconsideration and withdrawal of the rejections of the claims. If there are any remaining matters that may be handled by telephone conference, the Examiner is kindly invited to call the undersigned at his convenience.

Respectfully submitted,

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